IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 1019(S/B) 2001

(Old no. 19248/88)

Sri Surendra Kumar Arora S/o Sri Bali Ram,
Resident of A-199, Nehru Nagar Colony,
Dehradun. .....Petitioner.

Versus

1. The State of Uttar Pradesh,
2. The Chairman/Administrator, Urban Cooperative Bank Ltd. 10, Gandhi Road, Dehradun,
3. The Assistant Registrar, Cooperative Societies, Dharampur, Dehradun,
4. The Deputy Registrar, Cooperative Societies, Garhwal Division, Pauri,
5. The Secretary, Urban Cooperative Bank, 10 Gandhi Road, Dehradun.
6. Sri Jain Kumar Jain, posted as Officiating Branch Manager, Urban Cooperative Bank Ltd. Rajpur, Dehradun. .....Respondents.

Sri M.C.Pant, learned counsel for the petitioner,
Sri N.P. Sah, learned counsel for the State/respondent nos. 1 to 5.
Sri Ram Ji Srivastava, learned counsel for the respondent no. 6..

Hon'ble M.M.Ghildiyal, J.

Heard D.S. Mehta, Adv., holding brief of Sri M.C. Pant, learned counsel for the petitioner, Sri N.P. Sah, learned Standing Counsel for the State/respondent nos. 1 to 5 and Sri Kishore Kumar, Adv., holding brief of Sri Ram Ji Srivastava, learned counsel for the respondent no. 6.

By means of this writ petition, the petitioner has challenged the seniority lists dated 12.04.1985 and 24.03.1988 issued by the respondent no. 2 & 4 respectively.

Grievances of the petitioner is that he was appointed as Accounts Clerk-cum-Cashier as apprentice on 22.07.1977, whereas the respondent no. 6 who was appointed lateron, has

been placed above to the petitioner in the seniority list by the respondents' Department.

From perusal of the record and appointment letter annexed by the petitioner, it reveals that the petitioner was appointed as apprentice on the post of Accounts Clerk-cum-Cashier vide order dated 16.07.1977. The petitioner has also admitted this fact that he had joined his services on 22.07.1977. The petitioner has further annexed the appointment letter of respondent no. 6 issued on 02.01.1978. From perusal of appointment letter issued in favour of the petitioner, it transpires that he was appointed for a particular period i.e. for six months and that too as an apprentice. In any case, assuming that the petitioner was regularized after completing 6 months for the period, which he remained an apprentice, he was regularized on the post w.e.f. 21st January 1978 whereas; the appointment letter of respondent no. 6 which is annexed in the writ petition reveals that the respondent no. 6 was appointed as Accounts Clerk-cum-Cashier on regular basis w.e.f. 2nd January 1978. The respondents, while determining the seniority, have rightly held that the respondent no. 6 is senior to the petitioner. I do not find any illegality or infirmity in the order passed by the respondents. The writ petition lacks merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

(M.M. Ghildiyal, J.)

March 16, 2007:
NCM: